Lynn Williams

From: Joseph Villani [jvillani@davincibiomed.com]
Sent: Friday, January 23, 2004 11:48 AM
To: 'Lynn Williams'
Subject: FW: Engineering Unit

-----Original Message-----
From: Glen M Thornton [mailto:GThornton@tams.com]
Sent: Tuesday, May 06, 2003 8:37 AM
To: jvillani@davincibiomed.com
Subject: Re: Engineering Unit

Joe,

Attached please find a copy of the e-mail I received from Headquarters on the system. Because this is a summary description, I am having my office print out the detail using the catalogue numbers that they provided so that we get a complete understanding of the configuration. I will get that to you, via fax, as soon as I receive it.

Thank you for your patience on this.

Glen

----- Forwarded by Glen M Thornton/Sales/TAMS on 05/06/2003 08:27 AM -----

Anita L Bowler

05/05/2003 03:46 PM

To: Glen M Thornton/Sales/TAMS@TAMS
cc: Jake Dubich/OPS/TAMS@TAMS
Subject: Re: Engineering Unit

Glen,

Here is the information regarding the Engineering Unit (system never held title):

#OPART/U7

System Configuration: Magnet Gantry and manual patient couch
Operator console and control cabinet
02 180 CPU
5 1/4" rewritable MOD with 5 MOD's
MRA/FASE
RF COILS: QD Head, Neck coil with extender, Thoracic spine, Large Body

1/23/2004

EXHIBIT
1

Heat Exchanger and ACWB
Patient call and Intercom System
Two operator chairs and console desk
90 days warranty

Selling Price: $500,000

Please let me know if you have any questions.

Regards,
Anita

Glen M Thornton

05/02/2003 02:45 PM

To: Anita L Bowler/Marketing/TAMS@TAMS
cc:
Subject: Engineering Unit

Anita,

Happy Friday !!

Hope all is well in HQ.

Dane left me a message about an Engineering Unit that has become available. We have an anxious customer that has an immediate need. If I could get a breakdown on this system, I would appreciate it.

Thank you for your help.

Glen

In Touch with Tomorrow
TOSHIBA

GLOBAL IMAGING ■ MEDICAL SYSTEMS

QUOTATION/ORDER
ORDER SUMMARY

OMT NO. 308756

DATE: 5/19/03 QUOTE NO. 32465

PRESENTED TO: (COMPLETE LEGAL NAME)

DAVINCI BIOMEDICAL RESEARCH
DEPT.23, PO BOX 1125
SOUTH LANCASTER, MA. 01561

DELIVER TO:

DAVINCI BIOMEDICAL RESEARCH
DEPT.23, PO BOX 1125
SOUTH LANCASTER, MA. 01561

EQUIPMENT SUMMARY:

#OPART/U7	**OPEN MRI SYSTEM R269**
OPART/U7	MAGNETIC RESONANCE SYSTEM
100-50777100-02	CABLE,EQUIP ROOM,10M
EDM2300BOX	OPTICAL PLATTER,SONY 5 PACK
079-000046-00	TRANSFORMER,STEP DOWN
CCP-35GGFD(GAS)	GENERATOR,BACKUP,GAS
MJLB-123A/S1	COIL,EXTRA LARGE BODY
MSSW-GP0304/G1	DICOM PRINT FOR OPART
100-50751000-01	COIL,MEDIUM QD FLEXIBLE BODY
MKSU-GP0302/G1	CARDIAC GATING FOR OPART
9303N	ELECTRODE PADS (50/BOX)
MSSW-GP0309/G1	SOFTWARE,V4.0 FASE/MRA SW
MSSW-GP0309/G2	SOFTWARE,V4.0 PERFORMANCE PLUS

This quotation shall remain valid for 60 days (not to exceed 60 days) from date of submission. All prices are F.O.B. Tustin, California.

Payment terms for Therapy, CT, MRI and X-ray equipment are: Cash - 10% down payment, 70% upon shipment, 20% net 30 days after shipment or upon availability for first use by purchaser, whichever comes first.

Payment terms for Nuclear, Ultrasound and Mobile X-ray equipment are: Cash - 10% down payment, 90% net 30 days after shipment or upon availability for first use by purchaser, whichever comes first.

Additional terms and conditions of this quotation appear on reverse side hereof.

ACCEPTED, AGREED AND ORDERED:

CUSTOMER REQUESTED DELIVERY DATE: ASAP ~ Prior to MAY 30th, 2003

DARRELL HAMANN
TOSHIBA REP / CONTACT

5/20/03
DATE

PURCHASER'S SIGNATURE / TITLE

5-20-03
DATE

DISTRICT SALES MANAGER

DATE

EXHIBIT
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EQUIPMENT SUMMARY: (continued)

NL-001	SMALL BELT COIL

SLS-005 (Rev. 10/02)

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#OPART/U7 OPEN MRI SYSTEM R269

Refurbished OPART System

OPART is a 0.35T open cryogenless superconducting MRI system designed to combine the patient access advantages of Open MRI systems with the high quality imaging performance of superconducting MRI. OPART combines the economic advantages of open design with superconducting image quality and applications to maximize your asset utilization. This unique design provides the largest vertical opening of 55cm and a large couch capacity of 500lbs. The compact design sites in as little as 388 square feet.

COMPONENTS

* *Magnet Gantry and Patient Couch*
* *Operator Console and Control Cabinet*
* *Gradient Power Supply*
* *5 1/4" Rewritable Magneto-Optical Disk Drive with 5 MOD's*
* *RF COILS*
  - *Open Transmit Coil*
  - *QD Head Coil*
  - *Neck Coil with Extender*
  - *Thoracic Spine Coil*
  - *Large Body Coil*
* *Refrigeration unit*
* *Digital Output to Laser Camera*
* *Line Filter Panel for RF Shield Room*
* *Site Cables*
* *Operator Manuals*
* *OPART QA Phantom Kit*
* *Patient Call and Intercom System*
* *Patient Positioning Accessories*
* *Two operator chairs (grey)*
* *Console Desk (30" x 60")*
* *Heat Exchanger with Automatic City Bypass*
* *Back up Generator*

SLS-455 (Rev. 10/02)

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Features

Performance Features
OPART features innovative technologies such as digital RF, high speed gradients and a broad range of optimized RF coils which support advanced MRI applications.

* *Conventional pulse sequences such as Spin Echo, Field Echo and Inversion Recovery.*

* *Fast Scan sequences such as FastSE, FastIR, FastFLAIR, FastSTIR and FastFE.*

* *FastASE -RF Refocused EPI*
FastASE is an advanced FastSE based sequence with a large number of echoes (maximum 212 ETL) which is combined with Half Fourier Imaging to reduce scan times dramatically by a factor of 384. A single TR is enough to generate multiple images in a few seconds. Available with both 2DFT and 3DFT, FastSE provides T2 weighted images and is an RF refocused EPI technique. FastASE could potentially broaden MR applications enabling MRCP (MR Cholangio-Pancreatography), Urography and Myelography.

* *QuadScan*
Advanced digital RF capabilities provide precise phase control. This permits simultaneous excitations of four slices while minimizing excitations of four slices while minimizing RF power requirements with Toshiba's QuadScan technique. QuadScan offers either twice the SNR or four times the coverage for both SE and FE sequences.

* *MR Fluoroscopy*
Images are continuously acquired and reconstructed then displayed in virtually real time. Slice orientation, slice position, acquisition data read-out direction, slice thickness, FOV, NAQ, TR and Flip angle may be varied interactively while scanning.

* *Real Time Locator*
An advanced application of MR fluoroscopy which acquires axial, coronal and sagittal planes. Fast reconstruction and display of

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the data in real-time facilitates patient positioning.

* *Vascular Imaging Techniques*
Fine vascular structures are visualized with various innovative techniques such as 2D & 3D Time of Flight and 2D & 3D Phase Shift. Slice Selective Off Resonance Sync Pulse (SORS-STC) and Inclined Slab for Contrast Enhancement (ISCE) are available with 3D-TOF for reduced background signal and greater image quality. Maximum Intensity Projection can be performed while acquiring subsequent scans for greater productivity.

* *Advanced Fat Suppression Techniques*
Various sequences are provided for uniform fat suppression over an imaging area. Sequences include: IR, STIR, FastIR and FastSTIR.

Productivity Features
The Operator Control System design is optimized for productivity with a large monitor for multiple windows and simple viewing.
* *A 21" monitor and 1280x1024 display matrix for high resolution display.*
* *Extended keyboard and mouse.*

OPART's RISC platform provides an icon-based X-Window user interface which allows for simple and fast system operations. The true multi-tasking system facilitates patient registration, scan planning, image review and filming for maximum efficiency and productivity.

* *Integrated workstation capabilities eliminate the need to purchase a separate viewing console.*
* *User interface eliminates keyboard entry of commands.*
* *Calendar - is an easy to use advanced patient scheduling and registration tool.*
* *Memory - OPART protocols may be preprogrammed and accessed by a simple click of the mouse over an anatomical icon. An integrated smart system, the software eliminates guesswork and conducts a real-time "what if" exchange to optimize sequence parameters.*
* *Graphic scan planning - easy to understand graphics and prompts to quickly plan subsequent exams and input last minute sequence parameter selections.*

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* *Image selector - displays visual "table of contents" for quick and simple image display of complete studies.*
* *Batch MIP and CINE display while continuing other functions.*
* *Extensive post processing algorithms for image enhancement.*

General Hardware Description

Cryogenless Superconducting 0.35T Open Magnet
OPART's four-sided Open design is both self-shielded and cryogenless thereby eliminating the need for routine cryogen refills.
* *High homogeneity magnet maximizes the image quality for the broad patient population.*
* *Homogeneity is optimized with a passive shimming system. This stable method does not require regular maintenance.*

Patient Couch
Ergonomically designed to maximize patient comfort and accomodate a diverse patient population, the couch features lateral table-top movement to simplify patient positioning to magnet iso-center.
* *Accomodates patients up to 500 pounds.*
* *Horizontal movemement ±10cm left and right from magnet center.*

Gradient Subsystem: 20T/m/sec Slew Rate and 10mT/m Field Strength
Precision and reliability are integrated into Toshiba's gradient subsystem. Powered with a 20T/m/sec slew rate and 10mT/m field strength, the gradient power supply is capable of generating complex pulses with fast rise times (<= 0.5msec).

RF Subsystem
Toshiba's digital architecture provides high sensitivity and reliability for consistent imaging performance. OPART is designed to allow scans using certain 2 coils simultaneously in QD mode to maximize coverage and signal to noise. Standard autotuned coils include:
* *Open transmit coil*
* *QD head coil*
* *Neck coil with neck coil extender*
* *T-spine coil*
* *Large body coil*

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Computer Subsystem
A RISC based computer platform and independent real-time manager (RTM) delivers true multi-tasking with speed and flexibility. MIP processing of angio images and CINE display do not require optional memory or array processors.
* *64-bit RISC processor with 160MB memory and UNIX operating system.*
* *4GB Hard disk memory for 20,000 image storage (256x256).*
* *Instantaneous (<0.5 sec) reconstruction per image.*

Archival Subsystem
An erasable magneto-optical disk drive (5¼") disk is provided for image archival. This is a reusable storage device which stores up to 2.6 gigabytes or 7,000 (256x256) images.

Patient positioning accessories
- *Two body restraint bands*
- *Chin strap*
- *Velcro head strap*
- *Two temporal pads*
- *Knee bolster pad ("wedge shape")*

Applications Support
Each system includes three phases of operator training.

* *Phase I: A one week intensive course on the theory and practice of the operation of the OPART. This course is conducted at the Toshiba Training Academy in Irvine, California, and is accredited for Continuing Education by the ASRT Education Foundation. Two vouchers for attendance are provided with each system. One technologist must attend the course prior to system installation, the other voucher is valid for 6 months after system installation. Additional vouchers may be purchased for $2,000 (all inclusive) or $700 for tuition only. A Saturday night stay is required for all students traveling on vouchers.*

* *Phase II: 32 hours of on-site training for up to 3 technologists, designed to build on the training received at the Training Academy. Technologists who attended the Academy course must be present at the Phase II training.*

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* *Phase III: 16 hours of follow-up training conducted on-site approximately 6 to 8 weeks after the completion of Phase II training.*

* *All training is conducted by Toshiba applications specialists who are registered as faculty members of the American Society of Radiological Technologists (ASRT).*

* *Applications support is available by phone on our toll-free ASSIST line by calling 1-800-521-1968.*

* *Additional on-site training is available at a rate of $2,000 for a minimum 2 days training (including travel to site), with additional consecutive days available for $750 per day for a maximum of 3 additional days. All training is held Monday through Friday only. Maximum 5 day increments begin on Monday and end on Friday.*

Clinical Education Program
Toshiba will provide a course in the interpretation of images for one physician for five days at a designated MRI clinical facility. Toshiba also provides a Level I course in the Principles of MR Imaging and the use of the Toshiba MRI system for two technologists for five days at Toshiba's South San Francisco, California facility. All costs of attendance for customer's employees, such as, travel, food, lodging, etc., are the responsibility of the customer.

Installation

Toshiba's installation coordinator and OPART site planning guide are made available to facilitate site planning.

Note: RF Shielding and RF Room are not included or provided by Toshiba

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COMPONENT DESCRIPTION :

OPART/U7		MAGNETIC RESONANCE SYSTEM
079-000001-04		MAGNET,OPART
OPART-PRE		KIT,PRE-INSTALLATION
100-50348300-03		CABLES,SCAN ROOM,6M
100-50777100-02		CABLE,EQUIP ROOM,10M
100-50647900-05		CABLE,CONTROL ROOM,20M
SK-11098-1		DESK,48X30X29"
E-50152-A1000	(2)	CHAIR,2 PADDLE,PALISADE,GREY
EDM2300BOX		OPTICAL PLATTER,SONY 5 PACK
079-000044-01		HEAT EXCHANGER,VERT C/W
079-000046-00		TRANSFORMER,STEP DOWN

Opart Step-Down Transformer

The isolation transformer takes incoming 480 VAC, 60 A, 3-phase power and converts it to 208/120 VAC, 125A for the Opart MRI System.

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CCP-35GGFD(GAS) GENERATOR,BACKUP,GAS
OPART Back-up Power Generator 35kW

Provides emergency power generation in the case of a disruption in incoming electrical power. Self-starting with automatic switch over and periodic testing. Runs on natural gas. Supports the MRI system's cryo-cooler and water chiller to maintain the magnet at superconducting temperature during a power outage. Additional back-up power would be required to run the complete system and continue scanning during a power outage.

This component requires site specific information.

MJLB-123A/S1 COIL,EXTRA LARGE BODY
Extra Large Body Coil

This coil accommodates imaging of extremely large patients and has a circumference of 2,070 mm which predominately fills usable space in the magnet isocenter. The Extra Large Body is a rigid coil composed of multiple solenodial turns and can be used in combination with the Thoracic Spine coil in Quadrature Detection (QD) mode for Thoracic and Lumbar Spine imaging.

MSSW-GP0304/G1 DICOM PRINT FOR OPART
DICOM Print for Opart

100-50751000-01 COIL,MEDIUM QD FLEXIBLE BODY
Medium Flexible QD Body Coil

This flexible Quadrature Detection (QD) coil can be opened for easy patient loading and positioning, supporting a wide range of clinical applications. The circumference of the coil is 1,360 mm.

SLS-865 (Nov. 10/02)

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MKSU-GP0302/G1 CARDIAC GATING FOR OPART
Cardiac Gating for OPART

Cardiac Gating requires a Gating Interface which is an optional item for Prodiga and Potenza. Paragon already includes the interface as a standard component.

9303N ELECTRODE PADS (50/BOX)

MSSW-GP0309/G1 SOFTWARE,V4.0 FASE/MRA SW
FastASE is an advanced FastSE based sequence with a large number of echoes (maximum 212 ETL) which is combined with Half Fourier Imaging to reduce scan times dramatically by a factor of 384. A single TR is enough to generate multiple images in a few seconds. Available with both 2DFT and 3DFT, FastSE provides T2 weighted images and is an RF refocused EPI technique. FastASE could potentially broaden MR applications enabling MRCP (MR Cholangio-Pancreatography), Urography and Myelography.

MSSW-GP0309/G2 SOFTWARE,V4.0 PERFORMANCE PLUS
OPART Performance Plus Option

The Performance Plus Option improves the gradient performance of OPART in addition to providing two advanced pulse sequences:

* *Water-Fat Separation*
* *Echo Mapping*

The Advanced Gradient Compensation Control improves the gradient control and increases their precision. This improvement allows the use of the two advanced pulse sequences included in the this option as well as possible future advanced pulse sequences.

The Water-Fat Separation advanced pulse sequence uses a 3 point Dixon method to produce two sets of images: one predominantly Water and the

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other predominantly Fat. This imaging technique can be used in imaging joints and breast as well as other anatomy.

Echo Mapping increases slice coverage and reduces scan time up to 40% over conventional Fast Spin Echo. This is accomplished by combining half Fourier imaging, echo sharing and advanced post processing. This sequenced can be used in the brain, spine and knee where a large number of slices are required.

NL-001 SMALL BELT COIL

TOTAL QUOTE PRICE **$500,000.00**
Applicable Sales Tax Additional

No Sales TAX
Because Machine used
In medical Research!
F. I. D. # 043-[redacted]175 946

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** SERVICE WARRANTY **

TOSHIBA *WARRANTY INFORMATION*

WARRANTY SERVICES COVERAGE

WARRANTY SERVICE

Services Provided:

Toshiba America Medical Systems, Inc. (TAMS) provides maintenance services during the warranty period at no charge to the Customer. Warranty services provided include the following:

- *Principle Coverage Period: 8:30am-5:00pm Monday through Friday, excluding TAMS-observed holidays*
- *Response Time: 30 minutes by phone; typically 2-4 hours on-site*
- *All parts, excluding non-TAMS equipment and consumables (e.g., glassware((*)) and cryogens)*
- *All preventive maintenance inspections*
- *Contract rates charged for labor provided outside of PCP*
- *InTouch(TM) Center on-line assistance*
- *InnerVision(R) Plus, if applicable*
- *Uptime Guarantee*

((*)) Glassware (X-ray tubes and Image Intensifiers) does not carry a 100% warranty. Warranties are prorated. Customer can purchase a glassware agreement during the warranty to provide 100% glassware coverage.

InTouch(TM) Center

Services support may be requested by the Customer through the InTouch(TM) Center. The InTouch(TM) Center provides on-line support 24 hours a day for rapid resolution of system issues and applications questions. The phone number for the InTouch(TM) Center is 1-800-521-1968.

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InnerVision(R) Plus((+))

InnerVision(R) Plus allows TAMS to monitor system performance remotely. It enables problem resolution to begin promptly, quickly detects image and system performance degradation, and minimizes unscheduled downtime.

((+)) InnerVision(R) Plus and its related services are provided as a courtesy during the warranty period. It remains the property of TAMS. If the system in question is not covered by a TAMS full services agreement, TAMS reserves the right to remove InnerVision(R) Plus from the Customer site.

UPTIME GUARANTEE:

The following table shows the guaranteed uptimes during the warranty period by product line:

Product Line	Guarantee
Nuclear Systems	98%
CT Systems	98%
Vascular Systems	98%
General Rad and R&F Systems	98%
MR Systems	98%
Ultrasound Systems	98%

Note: Geographic limitations may apply. Consult your Services Manager for details

Uptime is maintained in part by providing Preventive Maintenance Inspections on a routine basis, based on manufacturer's recommendations. Failure to allow service an adequate time for scheduled Preventive Maintenance Inspections during normal warranty hours may void the uptime guarantee.

Uptime guarantees are measured based on warranty covered hours, excluding TAMS recognized holidays (New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Downtime measurement shall commence when TAMS is notified that the equipment is completely down and in a non-diagnostic state.

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Uptime Calculation

Uptime will be calculated using the following formula:

$$\text{Uptime} = \frac{\text{Base Time} - \text{Downtime}}{\text{Base Time}}$$

Definitions:

Base Time - Total covered hours.

Downtime - Time when the specified imaging equipment is inoperable, in a non-diagnostic state, and is immediately available for service repairs. Downtime will be calculated during the warranty coverage hours and commence when the customer notifies TAMS service facility and the call is logged into the InTouch(TM) Center. Downtime concludes once repairs are completed and the imaging system is available for clinical use. Downtime does not include time spent for preventive maintenance, routine part replacements or repair of any malfunction caused by operator error, accidents or other elements outside the control of Toshiba.

Uptime statistics will be evaluated over the entire warranty period. If the imaging system under warranty fails to achieve the specified uptime criteria, the warranty will be extended 3 days for each percentage point (1%) below guarantee, up to a maximum of 45 days.

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The following table shows guidelines for extending the system warranty based on failure to meet uptime guarantees:

98% Guarantee	
Uptime %	Days Ext.
97.9-97.1%	3
97.0-96.1%	6
96.0-95.1%	9
95.0-94.1%	12
94.0-93.1%	15
93.0-92.1%	18
92.0-91.1%	21
91.0-90.1%	24
90.0-89.1%	27
89.0-88.1%	30
88.0-87.1%	33
87.0-86.1%	36
86.0-85.1%	39
85.0-84.1%	42
Below 84%	45

The extension of warranty described above is the sole and exclusive remedy of Customer for Toshiba's failure to meet the uptime guarantee described above.

Additional Services:

Additional services are available during the warranty period, including extended coverage hours, after-hour PMs, and glassware coverage. The local TAMS services organization can provide additional information, including pricing, regarding these services.

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TOSHIBA *WARRANTY INFORMATION*

PRODUCT WARRANTY AND SERVICES COVERAGE

System Warranty Terms:

Toshiba America Medical Systems, Inc. (TAMS) warrants to Customer that the product(s) to be delivered hereunder will be free from defects in material, manufacturing workmanship, and title. Any product or part furnished to Customer during the warranty period (stated in the table below) to correct a warranty failure shall be warranted to the extent of the unexpired term of the warranty applicable to the repaired or replaced product or part.

The warranty period shall commence on the date the Product is delivered to the Customer. However, if TAMS installs the product, the warranty period for such product shall commence on the date the installation of the product is complete. Notwithstanding the foregoing, in the event that the installation of the product is delayed for a total of thirty (30) days or more from the date of delivery for any reason or reasons for which TAMS is not responsible, the warranty period for such product may, at TAMS' option, commence on the thirtieth (30th) day from the date such product is delivered to the Customer.

Warranty Exclusions:

Warranty coverage does not include any defect which results, in whole or in part, from (1) negligent storage or handling of the product by Customer, its employees, agents, or contractors, (2) failure of Customer to prepare the site or provide power requirements or operating environmental conditions in compliance with any applicable instructions or recommendations of TAMS, (3) absence of any product, component, or accessory recommended by TAMS but omitted at Customer's direction, (4) any design, specification or instruction furnished by Customer, its employees, agents, or contractors, (5) any alteration of the product by persons other than TAMS, (6) combining TAMS' product with any product furnished by others, (7) combining incompatible products of TAMS, (8) improper use of the product, improper maintenance of the product by a party other than TAMS, or failure to comply with any applicable instructions or recommendations of TAMS, or (9) acts of God, acts of civil or military authority, fires, floods, strikes or

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other labor disturbances, war, riot, or other causes beyond the reasonable control of TAMS.

TAMS does not warrant any products not manufactured by Toshiba, such as, without limitation, monitors, cameras, computer equipment, etc. Such items will be furnished subject only to the manufacturer's warranty, if any, and without any warranty whatsoever by Toshiba.

Warranty coverage also excludes consumables, including but not limited to cryogens, cassettes, magazines, imaging screens, disks, cartridges, etc.

Glassware Warranty:

Glassware, including X-ray tubes and Image Intensifiers, are provided separate warranties. Glassware included with the purchase of a new system is governed by the glassware warranty, described below, not the system warranty.

Unless otherwise noted, all glassware carries a 48-month warranty, (12 months non-prorated, 36 months prorated)with the exception of CT X-ray tubes, which carry the lesser of 12 months or the number of exposures shown below. (An exposure is any 360-degree or single rotation of the gantry with X-rays on)

Tube Type	Warranty (in Exposures)
CXB-150	50,000
CXB-200	100,000
CXB-350	150,000
CXB-400 (Helicool)	150,000
CXB-650	150,000
CXB-750 (Megacool)	200,000

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Glassware Proration Calculation:
Credits for glassware that fails during the warranty periods stated above will be calculated as follows:

Tube with Time-Based Warranty:

$$\text{Credit} = 1 - \frac{\text{Number of months used}}{48}$$

Tubes with Exposure Warranty:

$$\text{Credit} = 1 - \frac{\text{Number of Exposures Used}}{\text{Number of Exposures Warranted}}$$

Credit will be applied to the purchase of the replacement X-ray tube or Image Intensifier. Complete glassware coverage during warranty period may be purchased from the local services organization.

Remedies:
If TAMS determines that any product fails to meet any warranty during the applicable warranty period, TAMS shall correct any such failure by either, at its option, repairing, adjusting, or replacing without charge to Customer any defective or nonconforming parts of the product. TAMS shall have the option to furnish either new or remanufactured replacement parts or assemblies. During the warranty period, Toshiba will furnish free of charge any upgrades, including software required to correct any defect in the warranted products or as required under applicable laws.

Warranty Service:
Warranty service during the applicable warranty period will be performed without charge to Customer during TAMS' normal business hours, Monday through Friday, excluding holidays. Subject to the availability of personnel, after-hours service is available upon request at an additional charge.

The remedies set forth herein are conditional upon Customer promptly notifying TAMS within the applicable warranty period of any defect or nonconformance and making the product available for correction.

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Disclaimers and Limitations on Liability

TAMS' obligation to repair or replace defective parts will be Customer's sole and exclusive remedy for a breach of the warranty set forth above. SUCH WARRANTY WILL BE IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING WITHOUT LIMITATION, THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

In no event shall TAMS be liable for special, incidental or consequential damages. Toshiba does not warrant that the operation of the warranted products will be uninterrupted.

WARRANTIES BY PRODUCT LINE

	COMPUTERIZED TOMOGRAPHY	MAGNETIC RESONANCE	NUCLEAR MEDICINE	PACS SYSTEMS
SYSTEMS AND MAJOR COMPONENTS	12 Months	12 Months	12 Months	12 Months
ACCESSORY OPTIONS	6 Months	6 Months	6 Months	6 Months
REPLACEMENT & OPTIONAL PARTS	30 Days	30 Days	30 Days	30 Days
UPGRADE COMPONTENTS	90 Days	90 Days	90 Days	N/A
MISC. WARRANTY ITEMS	Detectors: Xenon: 36-months Solid State: 12-months	N/A	Crystals: 5-years E.CAM Crystals: 3-years	N/A

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	ULTRASOUND	X-RAY VASCULAR	X-RAY R/F & RAD
SYSTEMS AND MAJOR COMPONENTS	12 Months	12 Months	12 Months
ACCESSORY OPTIONS	6 Months	6 Months	6 Months
REPLACEMENT & OPTIONAL PARTS	30 Days	30 Days	30 Days
UPGRADE COMPONENTS	12 Months	6 Months	6 Months
MISC. WARRANTY ITEMS	Probes and Transducers: 1-year	MTV-500CCD Camera Head Only: 60 Months	MTV-300 CCD Camera Head Only: 60 Months

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